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Group Health Plans and Health Insurance Issuers: Internal Claims and Appeals and External Review Processes

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General Comment

On behalf of the Maryland Legal Aid Bureau, I am commenting on the 10% threshold for translation and oral interpretation of private plan materials in the internal review and appeals contexts. The Maryland Legal Aid Bureau, Inc. is a private, non-profit law firm that provides free civil legal services to indigent Maryland residents. We provide legal help to many Maryland residents who rely on private group health plans and have limited English proficiency.

The 10% standard is far too high. A more appropriate standard would be "5% of the plan's population or 500 persons in plan's service area" for large group plans, and 25% of population for small plans. Oral interpretation should be provided in all languages at all times.

Our clients are poor and can't afford to pay someone to translate documents for them. As a result, they either miss out on information or rely on the sporadic help of family and/or friends. We urge you to use the standard of 5% of the population, or 500 persons in the service area, and we support the more detailed comments submitted by the National Senior Citizens Law Center and the National Health Law Program.